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Glenn C. Ross
Sheriff

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Troy J. Morton
Chief Deputy

June 27, 2013

Mark Westrum
Chairperson
Maine Board of Corrections
25 Tyson Drive
Augusta, Maine 04333-0111

Dear Mark,

The Penobscot County Jail has been going through the exercise of budget review in order to meet the anticipated flat funding mandate from the Board of Corrections for the next fiscal year. Until now we have been able to live within the flat funding mandate since the inception of the "Unified System" law that began in 2009. We have done so by being careful stewards of our budgets; utilizing part-time staff to supplement full time officers; exhausting fund balances and generating revenue from the limited boarding of federal inmates. However, today we are unable to live within the finances of a flat funded budget as anticipated for the upcoming biennium; that is, without having to make significant changes to our operation. We anticipate a \$400 thousand shortfall due to increasing contractual costs, increases in supplies, commodities and medical. In addition, the new requirements of the Affordable Health Care Act will exasperate our shortfall due to mandatory insurance requirements. We have fully explored the most obvious option which results in the layoff of at least twelve correctional officers and the loss of the budgeted \$90,000 federal boarding revenue. As the Board of Corrections is fully aware, the Penobscot County Jail has been experiencing significant overcrowding and according to the Department of Corrections, has been over population 82% of the time during the past six months. While the population flexes from day to day, it is not uncommon to have 50-60 inmates boarded out and still have 20-40 inmates above our capacity; with no county accepting the remaining inmates. This is an issue that I continue to keep the BOC informed about.

Therefore with the loss of any staffing, I am compelled to discontinue the practice of holding 4-5 federal boarders per day, despite the fact that these revenues have allowed Penobscot County to retain enough staffing to maintain a secure facility. The loss of twelve correctional officers would force inmate reductions through the closure of two

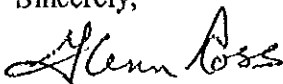
housing units compounding the issue of securing housing in other facilities. Penobscot County participated in the recent Bureau of Justice staffing analysis, sponsored by the Board. Correctional expert Rod Miller writes to me and states, *"It is my professional opinion that any reduction in security staffing should be accompanied by a significant reduction in long term housing capacity"*.

On June 26, 2013 I invited Ralph Nichols of the Department of Corrections to meet with my command staff to fully understand the budget ramifications and explore options to the downsizing. At that meeting, Mr. Nichols offered a suggestion that Commissioner Ponte of the Department of Corrections would be willing to accept eight of our maximum security inmates allowing us to reclassify three cell blocks from maximum security to medium security; resulting in an increased population allowance. It would increase the rated capacity of the Penobscot County Jail from 143 by an estimated 10-16 inmates. In addition to housing our own population; those beds then in turn could be used to house federal boarders and the resulting revenue would be built into my budget. We would dedicate twelve beds to federal boarders. I have been in contact with the US Marshall Noel March and he has indicated that the Marshal's Office would be able to house additional inmates in the Penobscot County Jail. Additionally, Commissioner Joseph Ponte has acknowledged his willingness to accept eight of our maximum security inmates which would allow for the additional federal bed space.

Attached, and submitted in CRAS, is a revised budget that would reflect this proposal. We fully endorse this concept as a win-win for the system. Not only would the change negate the serious budget shortfall for Penobscot County, but would prevent the loss of previously budgeted federal revenue; and increase bed capacity within the system while reducing the costs for BOC for the boarding of prisoners in other counties.

Whereas we have already begun the new fiscal year, we must know if this proposal is going to be accepted in the short term. We look forward to your response.

Sincerely,



Glenn Ross
Sheriff

Cc: Commissioner Joseph Ponte/DOC
Ralph Nichols, DOC Chief of Inspections
Penobscot County Commissioners